

REMARKS

Claims 17 - 32 are pending. Claim 32 has been withdrawn from consideration. Claims 29 and 32 have been cancelled. Claim 17 and 21 are currently amended. Support for the amendment to claim 17 is found at page 14, line 29.

Restriction Requirement

The claims were subject to restriction as follows:

Group I: Claims 17-31, drawn to an adhesive tape; and

Group II: Claim 32, drawn to a method of applying adhesive tape to a substrate.

During a telephone conversation with Examiner Nordmeyer on May 22, 2006, a provisional election was made without traverse to prosecute Group I, claims 17-31. Applicant hereby confirms the election of Group I, claims 17-31.

Objections

Claim 21 was objected to for a typographical error in the spelling of "polyester." Applicant has corrected the error and respectfully requests that the above objection be withdrawn.

§ 112 Rejections

Claims 17-31 stand rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The term "said optionally partially cured precursor" lacks antecedent basis.

Applicant has amended claim 1 to provide antecedent basis. Accordingly, the above rejection should be withdrawn.

Claim 29 was rejected for being unclear since the claim it depends from apparently recites a "backing." Applicant has cancelled claim 29, rendering the above rejection moot.

§ 102 Rejections

Claims 17-19, 22-26, and 29-31 stand rejected under 35 USC § 102(b) as being anticipated by Calhoun et al. (U.S. 5,344,681). The Patent Office submits in part that: Calhoun et al. disclose an adhesive tape having at least one layer of radiation curable precursor and at least one film having essentially two parallel surfaces wherein the surface in contact with the adhesive precursor has recesses therein.

The invention as now claimed in claim 17 is a tape that comprises comprising at least one layer of a radiation curable precursor of an adhesive and at least one film having two essentially parallel surfaces wherein at least one of said surfaces which is in contact with said radiation curable precursor, comprises a series of recesses having an average depth of between 15 and 50 micrometers therein and can be removed from said radiation curable precursor. Calhoun et al. do not disclose a film having recesses having an average depth of between 15 and 50 micrometers. Calhoun et al. disclose that recesses are "normally less than 0.25 mm" (column 8, line 12) and disclose in examples that the films have recesses of approximately 0.13 mm to 0.175 mm. For at least this reason, Calhoun et al. do not anticipate the invention as now claimed in claim 17. Accordingly, the above rejection should be withdrawn.

§ 103 Rejections

Claims 20, 21, 27, and 28 stand rejected under 35 USC § 103(a) as being unpatentable over Calhoun et al. in view of Williams et al. (U.S. 5,462,797). The Patent Office submits in part that: Calhoun et al. disclose an adhesive tape having at least one layer of radiation curable precursor and at least one film having essentially two parallel surfaces wherein the surface in contact with the adhesive precursor has recesses therein; Calhoun et al. fail to disclose certain claimed radiation curable polymers and non-radiation curable polymers; and that Williams et al. discloses the claimed radiation and non-radiation curable polymers.

Calhoun et al. has been discussed above. Williams et al. do not suggest or disclose the claimed elements that Calhoun et al. is missing. Thus, the combination of the references cited

above does not disclose or suggest the invention as now claimed. Accordingly, for at least this reason, the above rejection should be withdrawn.

In view of the above, it is submitted that the application is in condition for allowance. Reconsideration of the application is requested.

Respectfully submitted,

October 4, 2006
Date

By:

Scott A. Bardell
Scott A. Bardell, Reg. No.: 39,594
Telephone No.: 651-736-6935

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833